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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,197	02/07/2002	Victor Fielding	BAI525-760/02110	3513

24118 7590 06/13/2005  
HEAD, JOHNSON & KACHIGIAN  
228 W 17TH PLACE  
TULSA, OK 74119

EXAMINER

KOSTAK, VICTOR R

ART UNIT PAPER NUMBER

2614

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/072,197

Applicant(s)

FIELDING, VICTOR

Examiner

Victor R. Kostak

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2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>04/25/05</u> . | 6) <input type="checkbox"/> Other: _____  |

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1. Applicant is informed that the Bart reference referred to but not accurately cited in the last Office action has been made of record herein, because it was not properly identified on the PTOL-892 form in that action. The examiner regrets any confusion or inconvenience resulting therefrom.

2. Claims 1-16 are objected to because of the following informalities:

a) in amended claim 1 line 6, “that” should precede “adapts”;

b) thought not a critical matter, applicant may prefer to delete the term “other” before ‘environmental conditions’ (recited twice in all three independent claims). The term “other” tends to suggest that a supply voltage qualifies as an environmental condition, or that previous environmental conditions were considered. Deletion of the term would not effect the claims in any significant way. Appropriate correction is required.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 7-14 are now rejected under 35 U.S.C. 102(b) as being anticipated by

Sample.

The broadcast receiver of Sample (noting Fig. 1) comprises standard video components including color amplifiers 24, 26 and 28 which drive color CRT 20 for presentation of a television signal (col. 4 lines 4-8), the received signal having (at least by default) a voltage level

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within a known range dictated by the receiver. Associated color demodulator stage 40 which has a supply voltage  $V_{cc}$  (as shown) provides additional respective amplification to corresponding amps 24, 26 and 28. Sample points out that he compensates for both environmental (temperature) effects and supply voltage variation (e.g. col. 2 lines 43-53) in the demodulator stage directly adjusts the color amps, the compensation carried out by application of a DC offset value to input transistor components (detailed in Fig. 2; col. 6 line 47+), which in turn adjusts the three color amps to form a composite signal, thereby meeting claims 1, 2, 11 and 12.

As for claims 3, 10 and 13, the change in environmental conditions (temperature) effects the amplification of bias voltage (col. 6 line 26+).

As for claims 4, 7, 8 and 14, the DC offset is applied to the amplifiers for driving the CRT, wherein the biasing adjustment involving the supply voltage is based on a specifically calculated compensation value so determined by the transistor arrangements.

As for claim 9, the gain provided by the amplifier is characterized by multiplication function, which is applied to the passing decoded video signal, for ultimately display on CRT 20.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 6, 15 and 16 are now rejected under 35 U.S.C. 103(a) as being unpatentable over Sample in view of applicant's admission of prior art.

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Regarding claims 5, and 15, applicant admits that a voltage range of  $-5V$  to  $5V$  is a typical range (page 4 of the specification). Although Sample does not specify such (but by default some practical range would be adopted), it would have been obvious to use the typical range commensurate with standard video receivers, as disclosed by applicant.

As for claims 6 and 16, applicant admits on top of page 2 of his specification that the typical voltage range for a received video signals could also lie between  $0V$  and  $1V$ . Again, although Sample does not specify such (but by default some practical range would be adopted), it would have been obvious to use the typical range commensurate with standard video receivers, as disclosed by applicant.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Both O'Toole and Dakroub disclose compensating for both a variant supply voltage and temperature in a video signal processor.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor R. Kostak whose telephone number is (571) 272-7348. The examiner can normally be reached on Monday - Friday from 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this final action should be mailed to:**

Box AF  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

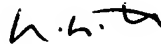
**Or faxed to:**

**(703) 872-9306 (for Technology Center 2600 only)**

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 308-HELP.



Victor R. Kostak  
Primary Examiner  
Art Unit 2614

VRK